



# ADULT-USE RETAIL DISPENSARY LICENSE

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## OVERVIEW



Adult-Use retail dispensaries are the principal license to conduct retail sales of adult-use cannabis products to consumers over twenty-one (21) years old. Retail dispensaries are allowed to acquire, possess, sell, and deliver adult-use cannabis products from their own licensed premises and licensed distributors, in addition to other select items including paraphernalia. Licensed retailers provide an environment for consumers to become informed about and purchase adult-use cannabis products grown, processed, and lab tested in New York State.

**Note:** License holders must meet and comply with all laws, regulations, and guidance related to the adult-use retail dispensary license. Failure to comply with any current or future laws, rules, or regulations issued by the Cannabis Control Board may result in disciplinary action, including, but not limited to, revocation of the license.

### Businesses that have an adult-use retail license are authorized to:

- Acquire, possess, and sell cannabis products at a brick-and-mortar retail dispensary storefront to customers over 21 years old;
- Deliver cannabis products to customers over twenty-one (21) years old;
- Be a Cannabis Events Organizer.

**Ownership Restrictions:** No person, other than a passive investor, may have an interest in more than three retail dispensary licenses. When delivery licenses are available, a person may have an interest in both a retail and a delivery license. Under no circumstances, can a person with an interest in a retail license have any direct or indirect interest whatsoever in a cultivator, processor, distributor, microbusiness, cooperative licenses, Registered Organization with Dispensing (ROD), or Registered Organization No Dispensing (ROND). No person may submit applications for more licenses or license types than they would be permitted to hold.

## APPLICATION & LICENSE FEES

Type	Amount
Adult-Use Application Fee, per application	\$1,000
Adult-Use Retail Dispensary License Fee	\$7,000
Limited Retail Consumption Facility (LRCF)	\$3,000 (in addition to the \$7,000 retail dispensary licensee fee)

## FEE REDUCTION

Application and license fees are reduced by 50% for all Social and Economic Equity (SEE) applicants.

## IMPORTANT DATES

**Adult-Use Applications Open:** Wednesday, October 4, 2023

**Deadline for non-provisional Retail Dispensary and Microbusiness Licensees only (including proof of location control and Notice to Municipality):** Friday, November 17, 2023, at 5:00 PM EST

**Adult-Use Applications Close:** Monday, December 18, 2023, at 5:00 PM EST

## KEEP IN MIND BEFORE APPLYING

### Eligibility Requirements:

- All licensees must be at least 21 years of age and not be otherwise prohibited from holding a license under Cannabis Law or regulations, based on prior non-cannabis convictions as stated in Section 137 of New York State cannabis adult-use regulations or True Parties of Interest (TPI) prohibitions.

### Location Requirements:

- Provisional License:** If you do not have proof of control over a property at the time of initial application, you may submit the application without these details and gain a provisional license from the Board. After receiving a provisional license, you may take up to twelve (12) months to submit proof of control over a location and finalize your application.
- Full License:** If you already have proof of control over the property at the time of your initial application, whether by lease agreement, mortgage, or outright ownership, or have an option to lease or buy the property, you may identify the property on your application submission and submit a complete application for the Office's review. A location cannot be used for licensed activities without prior explicit Office approval.

### Consider Zoning Rules.

Zoning Restrictions	Retail Dispensary Premises
School	Cannot be on the same road and within 500 ft of a building and its grounds occupied exclusively as a school.
House of Worship	Cannot be within 200 ft of a building occupied exclusively as a house of worship.
In a town, city, or village with a population over 20,000	Cannot be within 1,000 ft of another retail dispensary, microbusiness retail location, or ROD retail co-location.
In a town, city, or village with a population less than 20,000	Cannot be within 2,000 ft of another retail dispensary, microbusiness retail location, or ROD retail co-location.

- Notification to Municipalities.** Applicants seeking an adult-use retail dispensary, ROD, microbusiness with retail dispensary, or on-site consumption license, are required to notify the municipality, or in New York City, the appropriate community board in which the retail premises is located. Notification must be made between thirty (30) and two hundred and seventy (270) days prior to filing the final application for licensure by the Cannabis Control Board.
- Applicants must apply for the license as the business that will conduct the authorized activities, and this business must be formally established before starting the application.**
- Compile all information and business-related documents.**
- Review New York Cannabis Rules and Regulations.** Read the approved [adult-use regulations](#) and [guidance](#).
- Attend an OCM Road Map to General Licensing Application** event to learn more in-person.

## MORE RESOURCES

All applicants are strongly encouraged to review the [Adult-Use Cannabis Regulations](#) and all [application resources](#) to learn more about how to obtain and operate an adult-use cannabis license in New York State. Please note that this is only the first application window for general adult-use cannabis licensing. Future application windows for licenses such as nursery, delivery, cooperative or collective, and on-site consumption are anticipated. Please email [info@ocm.ny.gov](mailto:info@ocm.ny.gov) if you have any further questions.

